

July 18, 2007

**MINUTES OF A REGULAR MEETING OF
THE TORRANCE PLANNING COMMISSION**

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 6:00 p.m. on Wednesday, July 18, 2007 in City Council Chambers at Torrance City Hall.

Agenda Item 13A was considered out of order at this time.

13A. WORKSHOP ON CALIFORNIA ENVIRONMENTAL QUALITY ACT

Deputy City Attorney Whitham provided an overview of the California Environmental Quality Act (CEQA) guidelines and review processes.

The Commission briefly recessed following the workshop and reconvened at 7:04 p.m. and the meeting continued in regular agenda order.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Recording Secretary Sue Sweet.

3. ROLL CALL

Present: Commissioners Browning, Faulk, Gibson, Horwich, Uchima, Weideman and Chairperson Busch.

Absent: None.

Also Present: Planning Manager Lodan, Planning Associate Hurd-Ravich, Plans Examiner Noh, Planning Associate Martinez, Associate Civil Engineer Symons, Fire Marshal Kazandjian, and Deputy City Attorney Whitham.

4. POSTING OF THE AGENDA

Planning Manager Lodan reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on July 13, 2007.

5. APPROVAL OF MINUTES

MOTION: Commissioner Browning moved for the approval of the May 16, 2007 Planning Commission minutes as submitted. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote, with Commissioner Uchima abstaining.

MOTION: Commissioner Weideman moved for the approval of the June 6, 2007 Planning Commission minutes as submitted. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

6. REQUESTS FOR POSTPONEMENT

Planning Manager Lodan relayed the applicant's request to continue Agenda Item 9A (PRE07-00007, WAV07-00005: Rick Sellers) to August 1, 2007.

MOTION: Commissioner Horwich moved to continue Agenda Item 9A to August 1, 2007. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote.

Chairperson Busch announced that the hearing would not be re-advertised as it was continued to a date certain.

7. ORAL COMMUNICATIONS #1

Rick Wagner, 4319 W. 180th Street, expressed concerns that CarMax has failed to comply with conditions imposed by the Planning Commission when their facility at 18020 Hawthorne Boulevard was approved in August 2005 (CUP05-00023, DVP05-00002). He reported that CarMax completely disregarded instructions not to use 180th Street for construction traffic, as well as the limitation on the hours of construction. Additionally, he noted that lighting has not been installed in the adjacent alley; that lighting on the property intrudes on nearby residences; that the landscaping provided for screening along 180th Street is inadequate; and that a dozen parking spaces have been eliminated in the public right-of-way east of the building. He submitted written material detailing his concerns and asked that the City take action to enforce the terms of the Conditional Use Permit.

Bryan Johnson, 4311 W. 180th Street, related his understanding that the CarMax building is significantly larger than what was originally approved. He reported that 180th Street has been damaged by heavy construction vehicles and that parking problems have been exacerbated due to the elimination of public parking on the east side of the CarMax building.

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Raffy Mardrossian, 4331 W. 180th Street, voiced objections to the drastic change in the design of the project and the addition of a gas pump. He reported that residents have been inundated with dust from the project; that his car was damaged by overspray when the building was painted; and that construction crews have been parking on 180th Street, which has added to parking problems.

A brief discussion ensued, and it was the consensus of the Commission to request that staff to look into this matter and report back at the next Commission meeting. Commissioner Browning requested that a copy of the Conditional Use Permit be provided at that time.

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Chairperson Busch reviewed the policies and procedures of the Planning Commission, including the right to appeal decisions to the City Council.

8. **TIME EXTENSIONS** – None.

9. **CONTINUED HEARINGS**

9A. **PRE07-00005, WAV07-00005: RICK SELLERS (KEN BERRYMAN)**

Planning Commission consideration for approval of a Precise Plan of Development to allow second-story additions in conjunction with a setback Waiver for an existing two-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 413 Via La Soledad.

Continued to August 1, 2007.

10. **WAIVERS** – None.

11. **FORMAL HEARINGS**

11A. **MOD07-00003 (PCR04-00003), WAV07-00012: JAMES GARCIA**

Planning Commission consideration for approval of a Modification of a previously approved Planning Commission Review (PCR04-00003) to allow a remodel that will involve the demolition of at least 50 percent of the floor area on the main house in conjunction with a Waiver to allow less than the required setbacks on the northerly and southerly side yards on property located in the Small Lot, Low Medium Overlay in the R-2 Zone at 2203 Gramercy Avenue.

Recommendation

Approval.

Planning Associate Martinez introduced the request.

James Garcia, applicant, voiced his agreement with the recommended conditions of approval.

Paul Watson, contractor and father-in-law of the applicant, explained that the applicant had hoped to renovate the front structure but subsequently discovered that there was a substandard support system that was badly compromised by rot and termite damage, which necessitated the demolition of a large portion of the south side of the building, and that he was requesting approval to rebuild it within the same footprint.

Bonnie Mae Barnard, 2020 Gramercy Avenue, reported that the applicant has failed to comply with a condition imposed when this project was originally approved, which required that the new structure built on the rear of the property match the historic structure in front, and expressed concerns that the front structure was now being demolished. She requested that the Commission require that two mature trees removed in conjunction with the project be replaced with similarly sized trees and urged that the project be closely monitored to ensure compliance with all conditions.

Mary Ann Reiss noted her agreement with Ms. Barnard's comments.

Mr. Garcia stated that he had wanted to keep the trees, but the City requested that they be removed and he intends to replace them with California pepper trees.

Commissioner Browning noted that this process could have been avoided if the structure had been inspected prior to starting the project, especially since it's over 50 years old.

In response to Commissioner Browning's inquiry, Mr. Watson clarified that he does intend to enlarge the side yard setback on the south side from two feet, six inches to three feet per staff's recommendation.

Planning Manager Lodan noted that the proposed Waiver would allow the applicant to maintain the existing five-foot six-inch setback on the north side of the property.

MOTION: Commissioner Browning moved to close the public hearing. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

Referring to Ms. Barnard's comments, Commissioner Faulk noted that a condition was included requiring that the new building replicate the previous residence with as much accuracy as possible with regard to the building envelope, footprint and façade (Condition No. 9). He expressed concerns that the applicant was required to remove mature trees at the City's direction.

MOTION: Commissioner Weideman moved for the approval of MOD07-00003 and WAV07-00012, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

Planning Associate Martinez read aloud the number and title of Planning Commission Resolution Nos. 07-080 and 07-081.

MOTION: Commissioner Horwich moved for the approval of Planning Commission Resolution Nos. 07-080 and 07-081. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote.

11B. PRE07-00007, WAV07-00008: TOM ROCHFORD (CHRISTINA SULLIVAN)

Planning Commission consideration for approval of a Precise Plan of Development to allow first and second-story additions to an existing one-story, single-family residence in conjunction with a Waiver to allow less than the required side yard setbacks on property located in the Hillside Overlay District in the R-1 Zone at 21333 Howard Avenue.

Recommendation

Approval.

Planning Associate Martinez introduced the request.

Tom Rochford, project architect, briefly described the proposed addition and explained that the Waiver is necessary to maintain the footprint of the existing house.

Commissioner Weideman questioned whether the applicant agreed to the condition requiring lot coverage to be reduced to 40%.

Andrew Sullivan, 21333 Howard Avenue, owner of the subject property, asked that the Commission consider deleting this condition, explaining that 44 square feet of living space would have to be eliminated. He noted that the previous owner extended the garage and the lot coverage would be well within 40% if the garage was standard sized.

Willis Delperdang, 21333 Mildred Avenue, voiced support for the project.

MOTION: Commissioner Gibson moved to close the public hearing. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote.

Commissioner Browning indicated that he had no objections to the Waiver and would support the project.

In response to Commission Weideman's inquiry, Planning Manager Lodan confirmed that the 40% limit on lot coverage is a Code requirement and not subject to modification by the Commission.

MOTION: Commissioner Horwich moved for the approval of PRE07-00007 and WAV07-00008, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

Planning Associate Martinez read aloud the number and title of Planning Commission Resolution Nos. 07-082 and 07-083.

MOTION: Commissioner Faulk moved for the approval of Planning Commission Resolution Nos. 07-082 and 07-083. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

11C. PRE06-00022: WILL BASILIO (NOLA FERRARO)

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a new two-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone a 22638 Draille Drive.

Recommendation

Approval.

Planning Associate Martinez introduced the request and noted supplemental material available at the meeting consisting of correspondence received after the agenda item was completed.

Nola Ferraro, owner of the subject property, voiced her agreement with the recommended conditions of approval with the exception of Condition No. 9, which requires that the second-floor rear deck have solid railings at least 48 inches high. She explained that she began working on the project in August 2006; that the original plans were met with opposition from neighbors; and that she subsequently redesigned it. She reported on her efforts to meet with neighbors to discuss their concerns. Referring to photographs previously submitted, she stated that most of the concerns are related to the fact that the subject property is at a higher elevation than adjacent properties, however, the photographs demonstrate that there will be no intrusion on neighbors' privacy. With regard to concerns about the project's Mediterranean architecture, she noted that there is a project at 22631 Draille Drive with similar architecture.

Commissioner Browning noted that the proposed project has an FAR (floor area ratio) of 0.56 and in order to exceed 0.50, the applicant must demonstrate that being confined to this limit would constitute an unreasonable hardship.

Ms. Ferraro explained that she has rheumatoid arthritis and the extra space was necessary to allow for wheelchair access in the event her condition worsens.

Commissioner Browning indicated that he was having some difficulty accepting this explanation, citing the interior and exterior stairs and the bathtub in the downstairs bathroom.

Ms. Ferraro stated that the stairs are easily "rampable" and she intends to replace the bathtub with a shower.

Commissioner Horwich stated that he observed that the second floor deck would create privacy issues even with the four-foot solid wall (Condition No. 9) and questioned why the new two-story structure is so much taller than the existing two-story home.

Ms. Ferraro explained that the new structure is five to six feet taller to allow for ten-foot ceilings on the first floor and nine-foot ceilings on the second floor.

Commissioner Faulk asked about the possibility of reducing ceiling heights.

Will Basilio, project architect, advised that the height of the structure could be reduced by approximately 18 inches by decreasing ceiling heights on both floors by six inches and changing the pitch of the roof to 2½ in 12. He indicated, however, that he would prefer not to change the pitch of the roof because it increases construction costs and the ceiling would have to be lowered in some areas to accommodate duct work making the rooms look squat.

Mr. Basilio submitted copies of the original plans for the project to show the effort that has been made to address neighbors' concerns. With regard to Condition No. 9, he stated that enclosing the balcony with a four-foot solid wall would deprive the applicant of view, light and ventilation and proposed enclosing the sides with a three-foot solid wall and leaving the front open.

The Commission recessed from 8:40 p.m. to 8:55 p.m.

Elke Goodno, 22634 Draille Drive, voiced objections to the project, maintaining that the new structure would tower over her home, block sunlight, intrude on her privacy and decrease the value of her property. She objected to the positioning of the front door only eight feet away from her property, citing concerns about porch lights and noise from visitors. She contended that the Mediterranean architecture was out of character with the original "storybook" homes in this neighborhood. She called for a reduction in the height of the project and increased setbacks.

Martha Wiley, 22642 Draille Drive, stated that homes built 40 or 50 years ago no longer meet the needs of today's families and she had no objections to neighbors improving their homes to make them more comfortable.

Submitting photographs to illustrate, Deborah Frane, 22633 Ellinwood Drive, voiced objections to the proposed project, contending that the massive structure would block out the sun and intrude on her privacy.

Nick Traina, 22705 Draille Drive, voiced his opinion that the proposed structure was too massive for the neighborhood and that it would devalue adjacent homes and those across the street. Submitting photographs to illustrate, he reported that his view of the San Gabriel Mountains would be blocked by the project.

Karen Traina, 22705 Draille Drive, maintained that the proposed project would block the view from her upstairs bedroom and deck and that it was too large for the neighborhood. She reported that she met Ms. Ferraro for the first time earlier in the day, disputing Ms. Ferraro's claim that she had consulted with her neighbors.

Louise Kirst, 22333 Anza Avenue, read a letter from her father, Henry Kirst, 22643 Draille Drive, in opposition to the proposed project (of record).

Terry Kaye, 22333 Anza Avenue, noted his disagreement with findings of fact in Planning Commission Resolution No. 07-084.

Mr. Basilio called attention to a previously submitted shadow study, which indicated that Ms. Goodno's home would be affected only three months out of the year for a couple hours per day. He stated that he tried to keep the project as low profile as possible and that its height is exaggerated because of its location at the apex of a hill.

Ms. Ferraro submitted a list of similarly sized homes within a 500 hundred foot radius of the proposed project.

Commissioner Faulk suggested that north-facing second floor windows could be reduced to a third of their size and the sill height raised so there would be no possibility of looking down into neighboring properties. He related his observation that the large rear deck would intrude on the privacy of neighbors.

Ms. Ferraro stated that she was amenable to Commissioner Faulk's suggestion about the north-facing windows, but she would like to retain the rear deck so she could access the outdoors from both floors. She reported that the rear deck would not be used for entertaining and she had no intention of intruding on her neighbors' privacy. She expressed her willingness to reduce the height of the project the maximum her architect could come up with.

Commissioner Gibson stated that she did not believe the applicant should be penalized for the topography of the lot, which has created some of the problem, however, she was concerned about changing the entrance from the west side to the north side of the house due to impact on Ms. Goodno.

Mr. Basilio explained that having the entrance on the side eliminates the need for a hallway down the center of the house, thereby allowing for a narrower structure with greater side yard setbacks.

Commissioner Horwich stated that he had a number of concerns about the project and believed that the rear deck should be eliminated due to privacy impact; that the height of the project should be reduced a minimum of three feet; and the FAR should be lowered to no more than 0.52.

Commissioner Browning indicated that he would not support the project as proposed.

Chairperson Busch related his belief that the proposed project would impact the privacy of neighbors and that the FAR was too high. Conceding that building on an elevated lot was challenging, he suggested that the applicant consider continuing the hearing so that she could meet with neighbors to try to resolve their concerns.

Commissioner Weideman stated that he believed the project would impact the view, light and privacy of surrounding neighbors and that the FAR was excessive, therefore, he could not support it as currently configured.

Ms. Ferraro agreed to a continuance.

MOTION: Commissioner Horwich moved to continue the hearing indefinitely. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

Chairperson Busch noted that the hearing would be re-advertised once a date has been set.

12. **RESOLUTIONS** – None.

13. **PUBLIC WORKSHOP ITEMS**

13A. **WORKSHOP ON CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Considered out of order, see page 1.

14. **MISCELLANEOUS ITEMS** – None.

15. **REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS**

Planning Manager Lodan reviewed recent City Council action on Planning matters, noting that the Council denied both the Waiver for construction of a storage shed at 438 Calle de Aragon and the condominium project at 728 Sartori Avenue at the July 17 Council meeting.

16. LIST OF TENTATIVE PLANNING COMMISSION CASES

Planning Manager Lodan noted that a workshop was scheduled for Wednesday, July 25, on rooftop decks, tenant relocation assistance, and hours of construction.

A brief discussion ensued, and it was the consensus of the Commission to commence the workshop at 6:00 p.m.

17. ORAL COMMUNICATIONS #2

17A. Commissioner Faulk expressed concerns that a silhouette for a project the Commission considered approximately a year ago was still in place.

Planning Manager Lodan noted that when a project is approved a condition is included requiring a silhouette to be removed within a set period of time, however, there is no such condition when a project is denied. He offered to have staff look into ways of being more aggressive about the removal of silhouettes.

17B. Commissioner Horwich requested an excused absence for the August 1, 2007 meeting. Hearing no objection, Chairperson Busch so ordered.

17C. Chairperson Busch noted that Commissioners have been invited to attend the groundbreaking ceremony for the Miyako Hotel on July 31.

17D. Chairperson Busch reported that Commissioner Gibson has agreed to look into arranging a holiday party for the Commission and staff.

17E. Chairperson Busch requested that the voting order be rotated each meeting.

18. ADJOURNMENT

At 9:55 p.m., the meeting was adjourned to Wednesday, July 25, 2007 at 6:00 p.m. for a workshop on rooftop decks, tenant relocation assistance and construction hours.

Approved as Submitted September 5, 2007 s/ Sue Herbers, City Clerk
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